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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,594	12/15/2000	Victor Vidal	2543/OH847	1234

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New York, NY 10022

EXAMINER

ALAM, UZMA

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/06/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,594

Applicant(s)

VIDAL ET AL.

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to the application filed on December 15, 2000. Claims 1-44 are pending. Claims 1-44 represent a method for accelerating file transfer by compression.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 7, 11, 12, 14, 19, 23, 24, 29, 30, 32, 33, 38, 42 and 43 are rejected under 35 U.S.C. 102(e) as being anticipated by Lafe et al. US Patent No. 6, 449,658. Lafe discloses the invention as claimed including a method and apparatus for accelerating data transfer through communication networks. See abstract.

As per claims 1, 14, 23, and 32 Lafe discloses a method and system for transferring, preparing and downloading an at least partly compressible file from a server computer to a user computer, the server computer and user computer being connected via a communication network, the method comprising the steps of:

at least partly compressing the at least partly compressible file to produce a corresponding compressed file (compressing the file requested; column 5, lines 3-6; column 7, lines 46-55)

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storing the compressed file on the server computer (column 5, lines 3-6; column 7, line 14-22)

upon request, transferring the compressed file to the user computer (sending the requested file to the user; column 4, lines 63-67; column 5, lines 1-5; column 7, lines 37-55); and

decompressing the compressed file at the user computer to reconstruct the at least partly compressible file (decompressing the file on the client side; column 5, lines 1-18; column 7, lines 56-60).

See also Figure 8.

As per claims 2, 24, and 33 Lafe discloses a method and system for transferring, preparing and downloading according to claim 1 and further comprising, after the step of decompressing, the step of converting the reconstructed file into a form presentable to the user (making the decompressed file viewable by the user; column 7, lines 61-67; Figure 8)

As per claims 7, 19 and 38, Lafe discloses a method and system for transferring, preparing and downloading according to claim 1 wherein the step of compressing said at least partly compressible file comprises the steps of:

applying at least one predetermined type of compression algorithm to a data chunk of a predetermined size in said at least partly compressible file (compressing a part of a file; column 5, lines 28-42; column 7, lines 1-10; column 8, lines 13-22);

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if the compression ratio obtained from applying said at least one type of algorithm exceeds a predetermined threshold, writing the compressed data chunk to a memory (if file is compressed, storing it; column 7, lines 14-22; column 8, lines 23-38);

else, writing the data chunk uncompressed to said memory (storing the file as is; column 6, lines 60-67);

and repeating the above steps for a plurality data chunks in said at least partly compressible file (repeating the steps until the whole file is completed; column 6, lines 60-67; column 7, lines 61-67).

As per claims 11, 29 and 42 Lefe discloses a method and system for transferring, preparing and downloading according to claim 1 wherein the step of decompressing said compressed file comprises the steps of:

collecting a chunk of data of said compressed file, said chunk having a predetermined size (receiving data of a compressed file; column 6, lines 64-67; column 7, lines 1-10);

determining whether said data chunk has been compressed relative to the at least partly compressible file (determining if the file is compressed; column 6, lines 64-67; column 7, lines 46-55);

if the said data chunk is determined not to have been compressed, writing said data chunk to a memory (storing the file as is; column 7, lines 46-55);

else, decompressing said data chunk to produce a corresponding decompressed data chunk and writing the decompressed data chunk to said memory (decompressing the file; column 7, lines 26-55);

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and repeating the above steps for a plurality data chunks of said compressed file (column 7, lines 26-36).

As per claims 12, 30 and 43 Lafe discloses a method and system for transferring, preparing and downloading according to claim 11, wherein the step of decompressing said data chunk comprises the step of applying at least one type of decompression algorithm to the compressed data chunk (column 5, lines 1-42; column 7, lines 55-50).

As per claim 23, Lafe discloses a method of downloading a compressed file corresponding to a compressible file in a given format from a server computer to a user computer, the server computer and user computer being connected via a communication network, the method comprising the steps of:

receiving a request for the at least partly compressible file (sending the requested file to the user; column 4, lines 63-67; column 5, lines 1-5; column 7, lines 37-55);

replacing the request for the at least partly compressible file with a request for the corresponding compressed file (requesting a compressed file; column 7, lines 14-23);

transferring the compressed file to the user computer (sending the requested file to the user; column 4, lines 63-67; column 5, lines 1-5; column 7, lines 37-55); and

decompressing the compressed file at the user computer to reconstruct the at least partly compressible file (decompressing the file on the client side; column 5, lines 1-18; column 7, lines 56-60).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, 6, 15, 16, 18, 25, 26, 28, 34, 35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafe et al. US Patent No. 6,449,658 in view of Davis US Patent Publication No. 2001/0047348. Davis discloses the invention as claimed including a content media duplication system (see abstract).

As per claims 3, 15, 25 and 34, Lafe discloses a method and system for transferring, preparing and downloading according to claim 1. Lafe does not disclose wherein the at least partly compressible file comprises a streamed-media file. Davis discloses a streamed media file. See paragraph 0039. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the media file of Davis with the partially compressible file of Lafe. A person of ordinary skill in the art would have been motivated to do this to save storage space and compress based on the nature of the file type.

As per claims 4, 16, 26 and 35 Lafe and Davis disclose a method and system for transferring, preparing and downloading according to claim 3. Lafe does not disclose wherein the streamed-media file comprises a Macromedia Flash file. Davis discloses a Macromedia Flash file. See paragraph 0039. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Flash file of Davis with the partially compressible file of

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Lafe. A person of ordinary skill in the art would have been motivated to do this to save storage space and compress based on the nature of the file type and to support HTML 2.0.

As per claims 6, 18, 28 and 37, Lafe discloses a method and system for transferring, preparing and downloading according to claim 3. Lafe does not disclose wherein the streamed-media file comprises a Java Applet file. Davis discloses a Java Applet file. See paragraph 0039. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Java Applet file of Davis with the partially compressible file of Lafe. A person of ordinary skill in the art would have been motivated to do this to save storage space and compress based on the nature of the file type and to support HTML 2.0.

Claims 5, 17, 27 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafe et al. US Patent No. 6,449,658 and Davis US Patent Publication No. 2001/0047348 as applied to claims 3, 4, 6, 15, 16, 18, 25, 26, 28, 34, 35 and 37 above and in further view of Brewster Jr. US Patent No. 6,600,502. Brewster discloses the invention as claimed including a method for network devices to rapidly access multimedia content (see abstract).

Lafe and Davis discloses a method and system for transferring, preparing and downloading according to claim 3. Lafe and Davis do not disclose wherein the streamed-media file comprises a Macromedia Shockwave file. Brewster discloses a Shockwave file. See column 16, lines 56-67; column 17, lines 1-36. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Shockwave file of Brewster with the streamed media file of Lafe and Davis. A person of ordinary skill in the art would have

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been motivated to do this to support traditional interaction controls such as mouse pointers (column 16, lines 9-14).

Claims 8-10, 20-22 and 30-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafe et al. US Patent No. 6,449,658 in view of Appelman US Patent No. 6,385,656. Appelman discloses the invention as claimed including a recompression server (see abstract).

As per claims 8, 20 and 30 Lafe discloses a method and system for transferring, preparing and downloading according to claim 7 wherein the step of applying at least one type of compression algorithm to the at least partly compressible file comprises the steps of:

applying a first compression algorithm or combination of compression algorithms to said data chunk (compressing a file; column 5, lines 28-42; column 7, lines 1-10; column 8, lines 13-22).

Lafe does not disclose applying a second compression algorithm or combination of compression algorithms to said data chunk;

determining which of said first and second algorithms or combinations of algorithms yields a higher compression ration for said chunk;

using the higher compression ratio algorithm or combination of algorithms to compress said chunk. Appelman discloses using a diffrenent algorithm with a higher compression ratio. See column 2, lines 66-67; column 3, lines 1-15. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the higher compression ration algorithm of Appelman with the compression algorithm of Lafe. A person of ordinary skill in the art would have been motivated to do this to provide better compression for different data types and to optimize bandwidth usage (column 1, lines 49-52; column 3, lines 1-3).

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As per claims 9, 21 and 40 Lafe and Appelman disclose a method and system for transferring, preparing and downloading according to claim 8 wherein at least one of said first and second compression algorithms or combinations of compression algorithms comprises a dictionary table type compression algorithm (Lafe column 5, lines 28-42).

As per claims 10, 22 and 41 Lafe and Appelman disclose a method and system for transferring, preparing and downloading according to claim 8 wherein at least one of said first and second compression algorithms or combinations of compression algorithms comprises a Huffman tree type compression algorithm (Lafe column 5, lines 28-42).

Claims 13, 31 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lafe et al. US Patent No. 6,449,658 in view of Lincoln et al. US Patent Publication No. 2002/0056010. Lincoln discloses the invention as claimed including a method for transmitting compressed data (see abstract).

Lafe discloses a method and system for transferring, preparing and downloading according to claim 12. Lafe does not disclose wherein the step of applying at least one type of decompression algorithm to the at least partly compressible file comprises the steps of: determining at least one type of compression algorithm that has been used to compress said data chunk; and selecting said at least one decompression algorithm to match said at least one compression algorithm. Lincoln discloses matching the decompression algorithm to the compression algorithm. See paragraphs 0026-0027. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the matching of algorithms of

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Lincoln with applying the algorithms of Lafe. A person of ordinary skill in the art would have been motivated to do this to guarantee that the system will be able to decompress the file (0027).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christal et al. US patent No. 6,751,624

Kawase US Patent No. 6,438,631

McBride et al. US Patent No. 6,151,627

Bodin et al. US Patent No. 6,604,106

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (703) 305-8420. The examiner can normally be reached on Monday-Tuesday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308 - 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

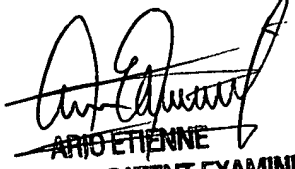
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